

Message Text

UNCLASSIFIED

PAGE 01 STATE 023425

46/67

ORIGIN DLOS-04

INFO OCT-01 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-02 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FEAE-00 FMC-02 TRSE-00 H-02

INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00 NSC-05

NSF-02 OES-05 OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15

USIA-15 SAL-01 AF-06 ARA-10 EA-09 EUR-12 NEA-10 /183 R

DRAFTED BY D/LOS:MHNORDQUIST:PS

APPROVED BY T - MR. C. MAW

S/P - MR. BLANEY (SUBST)

L/OES - MR. BURTON

OES - MR. SCULLY

T - MR. CRAFT

S/AL - AMB. LEARSON (SUBST)

S/S-O: JHOGANSON

----- 104059

P 300301Z JAN 76

FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS PRIORITY

UNCLAS STATE 023425

INFORM CONSULS - MEXICO PASS MOORE AND RIDGWAY

C O R R E C T E D C O P Y (TEXT OMITTED PARA 1)

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: SENATE PASSAGE OF 200-MILE FISHERIES BILL

1. TWO HUNDRED-MILE FISHERIES LEGISLATION PASSED U.S.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 023425

SENATE JANUARY 28 BY VOTE OF 77 TO 19. SENATE BILL WOULD

EXTEND U.S. JURISDICTION OVER COASTAL FISHERIES TO 200 MILES. ENFORCEMENT AGAINST FOREIGN FISHERMEN WOULD TAKE EFFECT ON JULY 1, 1977, UNLESS AN LOS TREATY ENTERS INTO FORCE PRIOR TO THAT TIME. FOLLOWING INFORMATION IS PROVIDED FOR YOUR USE IN EVENT SUBJECT IS RAISED BY HOST GOVERNMENT. SENATE PASSAGE OF 200-MILE BILL FOLLOWS HOUSE PASSAGE IN OCTOBER OF SIMILAR, THOUGH NOT IDENTICAL LEGISLATION (H.R. 200). SENATE AND HOUSE VERSIONS WILL NOW BE REFERRED TO CONFERENCE COMMITTEE TO WORK OUT DIFFERENCES BETWEEN THEM. HOUSE VERSION DOES NOT HAVE A DELAYED EFFECTIVE DATE.

2. AT JANUARY 29, 1976 WHITE HOUSE PRESS BRIEFING, THE PRESIDENT'S POSITION WAS DESCRIBED AS FOLLOWS:

"(THE PRESIDENT'S) POSITION HAS BEEN THAT HE THINKS THAT THE 200-MILE FISHING LIMIT AND OTHER ISSUES INVOLVING

COASTAL WATERS SHOULD BE SETTLED ON AN INTERNATIONAL BASIS, A MULTILATERAL BASIS, AT THE LAW OF THE SEA CONFERENCE WHICH IS MEETING -- ONE SESSION IN NEW YORK, I BELIEVE IN MARCH, AND POSSIBLY ANOTHER SESSION LATER IN THE YEAR, AND HE WOULD HOPE THE ISSUE COULD BE DECIDED THERE ON AN INTERNATIONAL BASIS.

"HOWEVER, ASSUMING THAT ALL OTHER PROVISIONS OF THE BILL BEING SENT HERE BY CONGRESS ARE SATISFACTORY AND SINCE THE DATE OF IMPLEMENTATION OF THE CONGRESSIONAL BILL IS NEXT SUMMER, JULY 1977, WHICH WOULD STILL GIVE TIME FOR THE LAW OF THE SEA CONFERENCE TO RESOLVE THE ISSUE INTERNATIONALLY, I WOULD NOT EXPECT HIM TO VETO THAT 200-MILE LIMIT BILL."

3. THERE FOLLOWS BRIEF SUMMARY OF SALIENT PROVISIONS. IT SHOULD BE STRESSED HOWEVER THAT THESE POINTS HAVE NOT YET BEEN ENACTED INTO LAW AND THAT FINAL FORM OF LEGISLATION WILL DEPEND UPON OUTCOME OF CONFERENCE.

A. S.961 WOULD EXTEND U.S. JURISDICTION TO COASTAL STOCKS
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 023425

WITHIN 200 MILES OF U.S. COASTS, AND TO ANADROMOUS SPECIES, SUCH AS SALMON, THROUGHOUT THEIR MIGRATORY RANGE (INCLUDING BEYOND 200 MILES). IT WOULD REAFFIRM U.S. JURISDICTION OVER LIVING RESOURCES OF CONTINENTAL SHELF BUT WOULD NOT ASSERT JURISDICTION OVER HIGHLY MIGRATORY SPECIES, I.E., TUNA.

B. BILL WOULD PROVIDE FOR CATCH PREFERENCES FOR U.S.

FISHERMEN. FOREIGN FISHING WITHIN U.S. FISHERIES ZONE
WOULD BE PERMITTED FOR PORTION OF ALLOWABLE CATCH NOT
HARVESTED BY U.S. VESSELS, SUBJECT TO U.S. CONSERVATION
STANDARDS, QUOTAS AND ENFORCEMENT.

C. BILL CALLS FOR REVIEW OF INTERNATIONAL AGREEMENTS TO
DETERMINE WHETHER THEY ARE CONSISTENT WITH ITS PROVISIONS
AND FOR INITIATION OF NEGOTIATIONS TO AMEND OR TERMINATE
SUCH AGREEMENTS THAT ARE NOT CONSISTENT.

4. IN ADDITION TO CAVEAT REGARDING CURRENT STATUS OF
SENATE BILL, WE WISH TO STRESS THAT DUE TO LAST MINUTE
FLOOR AMENDMENT TO BILL WE HAVE NOT YET COMPLETED
DETAILED ANALYSIS OF ITS PROVISIONS. WE WILL PROVIDE
ADDITIONAL INFO WHEN SUCH ANALYSIS COMPLETED.

5. S.961 PROVIDES THAT IT WOULD BE SUPERSEDED BY ENTRY
INTO FORCE OF MULTILATERAL LOS TREATY. HENCE, ONE
RAMIFICATION OF LEGISLATION IS TO PLACE PREMIUM ON

CONCLUSION OF LOS CONFERENCE WITH PROVISIONAL APPLICA-
TION OF FISHERIES PORTION OF LOS SINGLE NEGOTIATING
TEXT BEFORE JULY 1, 1977.

6. IN DISCUSSIONS, STRESS: (1) LEGISLATION IS
LIMITED STRICTLY TO MEASURES TO CONSERVE FISHERIES
AND DOES NOT CONTEMPLATE JURISDICTION OVER OTHER HIGH
SEAS ACTIVITIES, AND (2) LEGISLATION WOULD NOT BECOME
ENFORCEABLE AGAINST FOREIGN STATES UNTIL JULY 1, 1977,
AND IS INTERIM ACTION WHICH WOULD BE SUPERSEDED BY ENTRY
IN FORCE OF MULTILATERAL TREATY SUCH AS LOS CONVENTION.
SPECIFIC INSTRUCTIONS FOR SELECTED POSTS WILL FOLLOW AND
WE WILL KEEP ALL POSTS INFORMED OF ADDITIONAL DEVELOPMENTS
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 023425

ON FISHERIES LEGISLATION.

KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, TWO HUNDRED MILE LIMIT, FISHING LIMITS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE023425
Document Source: CORE
Document Unique ID: 00
Drafter: MHNORDQUIST:PS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760035-1263
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976013/aaaaacgv.tel
Line Count: 157
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: hattaycs
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUL 2004 by schwenja>; APPROVED <22 JUL 2004 by hattaycs>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: SENATE PASSAGE OF 200-MILE FISHERIES BILL
TAGS: PLOS, EFIS, US
To: ALL POSTS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006